

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA

v.

PETER MAGGIO, et al,

CR. NO. 04-10231-MLW

**DEFENDANT LOUIS PARADISO'S MOTION TO REQUIRE
THE GOVERNMENT TO PRESENT A PROFFER OF PROOF ON
CO-CONSPIRATOR DECLARATIONS**

Now comes defendant, Louis A. Paradiso, and respectfully requests this Court to require the government to present a proffer of proof on the co-conspirator declarations and conspiracy evidence it intends to offer at trial. Such a procedure, discussed favorably by the Seventh Circuit (Prentice Marshall, sitting by designation) in United States v. Andrus, 775 F.2d 825, 837 (1985) has the advantages of avoiding a mistrial if this Court rules against the government when making its final Petrozziello ruling at the conclusion of the evidence and judicial economy.

WHEREFORE, as more particularly described in the memorandum attached hereto, defendant respectfully requests this Court to require the government to present a proffer of proof on the co-conspirator declarations and conspiracy evidence it intends to offer at trial.

Respectfully submitted
By Defendant,
LOUIS A. PARADISO
By his attorney

/s/ Scott P. Lopez
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CERTIFICATE OF SERVICE

I, Scott P. Lopez, hereby certify that on the 20th day of April, 2006, I served the within DEFENDANT LOUIS PARADISO'S MOTION TO REQUIRE THE GOVERNMENT TO PRESENT A PROFFER OF PROOF ON CO-CONSPIRATOR DECLARATIONS by electronic mail on the following counsel of record at the following address:

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/s/ Scott P. Lopez
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